

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Our Docket No.: **A-71626-1/DJB/VEJ** Date: **December 12, 2003**

First Named Inventor: **Martin D. Andrews**

Title: **OPTICAL MOUNT AND METHOD FOR USE THEREOF**

"Express Mail" Mailing Label No.: **EV 298965855 US**

Date of deposit: **December 12, 2003**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed name: **Bret Melanson**

Signed: 

**ADDRESS TO: Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

APPLICATION ELEMENTS

1. ☒ Fee Transmittal (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status
3. ☒ Specification: Total Pages: **22**
 - ☒ Descriptive title of the invention
 - ☐ Cross References to Related Applications
 - ☐ Statement Regarding Fed. Sponsored R&D
 - ☐ Reference to sequence listing, a table, or a computer program listing Appendix
 - ☒ Background of the Invention
 - ☒ Brief Summary of the Invention
 - ☒ Brief Description of the Drawings
 - ☒ Detailed Description
 - ☒ Claims
 - ☒ Abstract of the Disclosure
4. ☒ Drawings (35 U.S.C. 113) Total Sheets: **8** (FIGS. 1-11)
5. ☒ Oath or Declaration Total Pages: **2**
 - a. ☐ Newly Executed (original or copy)
 - b. ☒ Copy from a prior application (37 C.F.R. 1.63(d)) (for continuation/divisional with Box 19 completed)
 - i. ☐ **DELETION OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application (see 37 C.F.R. 1.63(d)(2) and 1.33(b))
6. ☐ Application Data Sheet (37 C.F.R. 1.76)

7. ☐ CD-ROM or CD-R in duplicate, large table of Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (If applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (with Copies of Citations as necessary)
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (Should be specifically itemized)
15. ☐ Certified Copy of Priority document(s) (If foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: A check in the amount of \$394.00.

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☒ Continuation ☐ Division ☐ Continuation-in-part (CIP) of prior Application No.: **10/293,790** filed **11/12/2002**

For continuation or divisional applications: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference.

CORRESPONDENCE ADDRESS

SIGNATURE: 

DATE: **December 12, 2003**

ATTY NAME **Victor E. Johnson, Reg. No. 41,546
/for/ David J. Brezner, Reg. No. 24,774**

ADDRESS **DORSEY & WHITNEY LLP
Four Embarcadero Cent r
Suite 3400
San Francisco, CA 94111-4187**

CUSTOMER NUMBER: **32940**

TELEPHONE **(415) 781-1989**

FAX **(415) 398-3249**

(Client Matter No. 469390-00030)

(1125489)

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$394.00)****METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number: **50-2319**Deposit Account Name: **DORSEY & WHITNEY LLP**

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below☒ Credit any overpayments☒ Charge any additional fee required under 37 C.F.R. 1.16 and 1.17☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	\$385
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$385.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	21	- 20** =	1	X	9	\$ 9
Independent Claims	3	- 3** =	0	X		
Multiple Dependent						(\$ 9.00)

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	21	2202	9	Claims in excess of 20 = 1
1201	86	2201	43	Independent claims in excess of 3 = 18
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**or number previously paid, if greater; For Reissues, see above

SUBTOTAL (2) (\$9.00)**Complete if Known**

Application Number **T be assign d**
 Filing Date **Herewith**
 First Named Inventor **Martin D. Andrews**
 Art Unit **Prior: Ricky Levern Mack**
 Examiner Name **Prior: 2873**
 Attorney Docket No. **A-71626-1/DJB/VEJ**

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)**(\$0.00)****SUBMITTED BY**Name (Print/Type): **Victor E. Johnson
/for/ David J. Brezner**Registration No.: **41,546 /for/ 24,774**
(Attorney/Agent)Telephone: **(415) 781-1989**
Facsimile: **(415) 398-3249**Signature: Date: **December 12, 2003**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
 SEND TO: Commissioner for Patents, Washington, DC 20231.

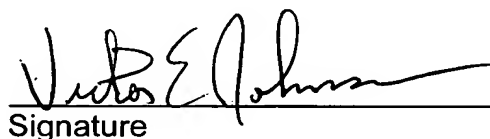
REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Martin D. Andrews
	Title	Optical Mount And Method For Use Thereof
	Attorney Docket Number	A-71626-1/DJB/VEJ

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 12, 2003

Date



Signature

Victor E. Johnson, Reg. No. 41,546
/for/ David J. Brezner, Reg. No. 24,774

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122 (b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

cc: DOCKETING

(1125782)